

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE CIVIL JURISDICTION
WRIT PETITION NO.9450 OF 2004

Gurunath Dwarkanath Bhoir).. Petitioner

Versus

State of Maharashtra and others).. Respondents

Mr.R.K.Mendadkar for the Petitioner.

Mr.C.R.Sonawane, Assistant Government Pleader, for
the Respondents.

**CORAM: H.L. GOKHALE AND
S.P. KUKDAY, JJ.**

DATED: 20TH JUNE 2005

P.C.:

. Heard Mr.Mendadkar in support of this Petition.
Mr.Sonawane, Assistant Government Pleader, for the
Respondents.

2. The Petitioner seeks to challenge the decision of
the Scrutiny Committee dated 31st August 2004 whereby his
claim to belong to Dongar Koli, Scheduled Tribe has been
negatived. The Committee has given two main reasons in
the report. Firstly, school entries of five relatives of
the Petitioner from his paternal side including his own
father shows that their caste was Koli. These entries
are made from 1937 to 1960. Secondly, the information
given regarding the dialect, festivals, deities, etc.

given by the Petitioner before the Scrutiny Committee were all consistent with the Koli community and not with Dongar Koli community. Reliance was placed on the validity certificate of one Manek Murlidhar Bhoir. However, it is not possible to accept his document as deciding the community of the Petitioner since from the so-called geneology also, he is so distantly related that it is not safe to rely on any such geneology. There has to be some evidence on all these aspects. By just giving a chart of geneology, one can't say that so and so is distantly related. Lastly, reliance was placed on the school record of one Balaram Natthu Bhoir. The Court had called for the original and from the record of the Scrutiny Committee, it is seen that in the school record of this Balaram Natthu Bhoir recorded way back in 1908, the community was recorded as Koli. In the circumstances, there was nothing wrong on the part of the Scrutiny Committee in rejecting the claim of the Petitioner. Petition dismissed.

(H.L. GOKHALE, J.)

(S.P. KUKDAY, J.)